

March 16, 2011

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By Hand Delivery

John Tyner, Chair
and Members of the City of Rockville Planning Commission
111 Maryland Avenue
Rockville, Maryland 20850

Re: Rockville Pike Corridor Plan Update – White Flint Express Realty Group Limited Partnership, 12303 Twinbrook Parkway (Lot 24, Block 7, Halpine Subdivision) (“Property”)

Dear Chairman Tyner and Members of the Planning Commission:

This letter supplements our March 9, 2011 letter and testimony on behalf of the White Flint Express Realty Group Limited Partnership (“Realty Group”). Please include this additional letter in the public record.

We wanted to advise the Planning Commission that notwithstanding our earlier letter and testimony, the Realty Group generally supports the land use concepts in the Draft Plan. Focusing development in the South Pike area around the Twinbrook Metro station to create a high-density mixed-use activity node can help create an exciting place where people will want to live, work and be entertained. The South Pike also appears to be the right location for compact mixed-use development that can result in the internalization of vehicle trips and greater use of Metro. And as properties redevelop, a practical/feasible new street network can be created through the subdivision process as well as additional urban gathering spaces.

In considering the testimony of others last week, it also appears that focusing development at a new activity node in the South Pike can serve to balance (and protect) the Rockville Town Center development at the North end and the overall residential character of the City. Succinctly stated, the City will benefit from sustainable development over the long term. Compact, dense, mixed-use development at the South end that can be served conveniently by transit is a means of successfully achieving that sustainability. The Realty Group would like to participate in that outcome.

In sum, the Realty Group opposes the relocation of Twinbrook Parkway, but would like to be a part of Rockville’s future. The Property is located within 1,500 feet of the Twinbrook Metro at the intersection of what will be two main thoroughfares (Twinbrook and Chapman). The Property is large enough (over 1 acre) to redevelop thoughtfully at higher densities with either

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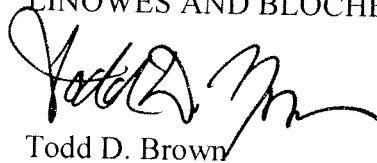
John Tyner, Chair
and Members of the City of Rockville Planning Commission
March 16, 2011
Page 2

residential or commercial uses, can serve as an anchor for the southwest quadrant of this intersection and can relate positively to the existing office building on the north side of Twinbrook Parkway and to any new development on the east side of Chapman Avenue. Increasing densities and building heights at the South end will help to create the compact, urban character desired by many younger singles, couples and families, and empty nesters.

Considering the practical difficulties associated with the proposed realignment of Twinbrook Parkway, the redevelopment of the Property as part of a mixed-use neighborhood could benefit the City in a significantly more realistic and practical way.

Very truly yours,

LINOWES AND BLOCHER LLP



Todd D. Brown

TDB:cp

cc: Mr. Leonard Greenberg
Mr. Richard Greenberg
Ms. Cynthia Kebba
Mr. Cas Chasten



March 16, 2011

City of Rockville
Long Range Planning Division
CPDS
111 Maryland Avenue
Rockville, Maryland 20850

RE: Rockville's Pike: Envision a Great Place

To whom it may concern:

This letter summarizes Twinbrook Partners' comments on the referenced plan (the "Plan") on behalf of the Northwestern Mutual Life Insurance Company, a major property owner of 1592 Rockville Pike, the approximately 6.7-acre property located at the intersection of Rockville Pike and Halpine Road within 1000 feet of the entrance to the Twinbrook Metro Station (the "Property"). As development manager, we are preparing to submit a Project Plan application for redevelopment of the Property into a mixed-use project, to be known as Twinbrook Metro Center. Our project is considered "Transit Oriented Development" and will capitalize on the Twinbrook Metro Station as a significant asset of the City of Rockville.

We're generally supportive of the Plan that encourages the following objectives:

- Promote architectural integrity and streetscape design principles..
- Improve connectivity through street grid design to encourage safe pedestrian and bicycle flow and smooth vehicular traffic.
- Develop public gathering spaces and better landscaping standards
- Improve signage, lighting and way finding.
- Encourage mixed-use Transit Oriented Development to leverage the Rockville and Twinbrook Metro Stations.
- Fund development of the Multi Way Boulevard including dedicated bus lanes to promote non-vehicular transportation modes.
- Provide predictability of the approval process through the District Form Code.
- Leverage the dynamic retail economy located on the Pike through the addition of residential and office development that will be complimentary, putting customers closer to the action day and night.

We would suggest the following changes to the Plan:

Exclude Pre-Application and Formal Applications filed prior to adoption of the Plan

The Plan proposes new zoning and other requirements for the properties along Rockville Pike. In many situations, the existing zoning permits heights that exceed the heights permitted by the proposed Form Code. Accordingly, we believe it is imperative that the Plan specifically exclude any and all Site Plan and Project Plan pre-applications and formal applications filed prior to adoption of the Plan and the Form Code as well as any permits necessary for construction or completion of such projects. Failing to exclude such pre-applications and applications would be patently unreasonable to property owners who spent significant sums of money and time designing projects to satisfy the existing zoning requirements. To that end, we recommend the Plan adopt the following language:

- “The Plan requirements do not apply to Site Plans (Level 1,2, and 3) and any subsequent amendments thereto, and Project Plans and any subsequent amendment thereto, where a Pre-application, or formal application, has been made prior to the date of adoption of the Plan and Form Code and any permits necessary for construction or completion of such projects”;

Multi-Way Boulevard

We strongly support the Multi Way Boulevard design for Rockville Pike for the following reasons:

1. Historical examples provide assurance that this design can be successful in creating an attractive and functional boulevard.
2. This design leverages existing travel lanes, traffic lights and storm water management infrastructure including curb and gutter. It appears to be the most practical solution in terms of cost, a key consideration since there is little available public funding.
3. Current setbacks provide right of way to add local bus and parking lanes. These lanes can be developed incrementally as funding allows.

Our suggestion is that the parking lane be located on the inside curb of the local lanes closest to the retail, rather than the outside curb as currently shown. This would provide safety for motorists that walk to and from parked vehicles, and improve accessibility to retail. Bus stops are intermittent, rather than continuous, so bus access would not be compromised. In this proposal, the center lane would be for automotive, bicycle, and loading uses, and the outer lane would be for bus and vehicular through-traffic.

We consider the Multi Way design to be superior to the design proposed in Montgomery County's White Flint Sector Plan for several reasons:

1. Pedestrian access to the center location to access mass transit, as proposed in the White Flint Section Plan, would necessitate crossing through-lanes, creating a safety issue.



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2. The center bus/ mass transit lanes proposed in the White Flint Sector Plan would also be inconvenient for riders, therefore discouraging bus and transit usage.
3. Significant cost would be associated with the White Flint Sector Plan design that would entail rebuilding curb, storm water management infrastructure, traffic lights and turn lanes. New bus stop shelters would also be required. The proposed White Flint Sector Plan design presumes additional federal funding which appears to be a problematic and risky assumption, thereby adding uncertainty to implementation.

District Form Code

We are generally supportive of a form code as it provides predictability of the development approval process and prescribes design principles that promote an urban framework for growth. Our primary objection is that the proposed height limit along Rockville Pike seems arbitrary and unnecessary, and that the language is too restrictive. The existing zoning ordinance provides significant control, and, in the case of the recently-adopted MXTD zone applicable to the Property, the existing ordinance reflects current urban development trends while providing flexibility to meet market conditions.

We would advocate for higher density at transit stations and lower density moving further away, similar to the land use plan adopted in the White Flint Sector Plan. However, the allocation of density is somewhat self-governed by market forces that will influence development feasibility because density dictates parking needs and, therefore, construction cost. For this reason, high rise development will be feasible at key intersections such as those near the Twinbrook and Rockville Metro stations, while mid and low-rise development will be encouraged further from such locations where demand and rents will be lower.

We also note that, in the case of the transit-oriented development proposal that will be submitted for the Property, the proposed 200-foot cross section for Rockville Pike is ample width to support the 120-150 foot-height permitted under the existing MXTD zone.

Allow Form Code Matter-Of-Right Development Process for Properties over 40,000 s.f.

As currently drafted, the Form Code Administration process, which permits redevelopment by matter of right for projects that conform to the Form Code, only applies to "projects of building area less than or equal to 40,000 gross square feet." Such restriction severely limits the benefits of the special process and will hamper the redevelopment of the Rockville Pike Plan area. Success of the Plan is contingent on the redevelopment of many large properties along the Pike. Limiting the matter of right development option to only the smallest of such lots chills the redevelopment potential for the larger lots because the larger property owners will be saddled with all of the requirements of the Form Code (including a severe downzoning for properties around Twinbrook Metro Station), but will receive none of the benefits of the



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more expedited process. Accordingly, it is highly possible that few, if any, of these large property owners will redevelop, meaning that the goals of the Plan will not be realized. For this reason, we strongly suggest that the Form Code matter-of-right administration process be applied to all properties within the Plan Boundary.

Traffic Studies for new development should reflect updated methodologies for Critical Lane Volume Analysis and include:

1. The changing mix of uses and related traffic patterns.
2. The impact of Multi-Way Boulevard design on non-vehicular transportation modes.
3. Pedestrian usage of the Rockville and Twinbrook Metro Stations.
4. New street grids and parallel roadways created by new development.

Parking Studies for new development should reflect thorough shared parking analyses especially at metro stations where mixed-use projects typically require less parking than are required by the Zoning Ordinance. Metro parking facilities should be available after business hours to support the surrounding retail and entertainment uses.

Specifically permit Privately-Owned Streets

The Plan recommends the division of lots over two-acres in size and the creation of an extensive street grid along the Pike. However, the Plan does not address whether the newly created roads can be privately-owned and provide public access through an access easement to the City. Accordingly, we recommend the Plan specifically allow "A" and "B" Streets created through redevelopment to be owned and maintained privately but designed and constructed to public standards. Furthermore, the Plan should make clear that stormwater management systems, as well as certain habitable spaces, such as garages, will be permitted under private roads. Similarly, the Plan should not recommend or permit City or County-owned uses to be constructed under public streets.

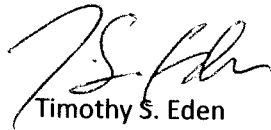
Revised alignment of Chapman Street Extension

In addition, in order to permit possible redevelopment along the west side of the WMATA tracks, we recommend the alignment of Chapman Street Extension north of the Twinbrook Metro Station shown on Figures 5.15, 5.17 and the Form Code "Regulating Plan" be revised toward the west so that development is permitted on each side of Chapman Ave extended. Chapman is proposed to be a collector road for local traffic with a pedestrian friendly design that would not occur with Chapman running adjacent to railroad tracks. As currently proposed, the Chapman Street Extension creates large blocks (500-600 feet) between the WMATA tracks and Rockville Pike that could be divided for efficient development. Accordingly, we recommend that the proposed Chapman Street Extension be moved to the west or that the Plan be amended to permit an alignment of the Chapman Street Extension that "takes into account the proposed development program and the area geography."



We look forward to participating further in the public hearing process and to helping the City of Rockville finalize the Plan for adoption.

Sincerely,



Timothy S. Eden

Managing Partner



James A. Alexander

Managing Partner



TWINBROOK PARTNERS

WECA Testimony

Planning Commission March 16, 2011

Rockville Pike Plan

Good evening members of the planning commission.

My name is Susan Prince and I reside at 206 Evans in Rockville. I am President of the West End Citizen's Association which represents approximately 1600 households in the residential area adjacent to Town Center and just north of the area included in the proposed Rockville Pike Plan. As a by-product of our prime location, our neighborhood is right in the cross hairs of all the changes coming down the pike in Rockville. We face continual development pressures, our streets carry an overabundance of traffic, and our schools are substantially overcrowded. The Rockville Pike Plan as proposed will do little to address these issues. In fact it appears that the plan will take away one of the prime advantages of living in Rockville, close proximity to a wide variety of shopping options and desirable services.

David Levy of the Planning Department attended our February meeting and presented the details of the proposed plan. Residents raised several issues and we had a lively discussion about the merits (or otherwise) of this plan. Initial concerns raised related to the cost of the project, who will pay for it, the future of the APFO and the proposed density and associated traffic.

We were not in a position to draft a formal stance on the proposal at that meeting as people needed time to digest all the details. For a plan that is intended to be implemented over the next 20 years, I can't understand why we would have less than a month to develop a position and testify at a public hearing.

We hold meetings once a month and the next scheduled meeting is tomorrow night, at which time we will discuss the plan in more detail and develop additional comments which we will submit in writing. However given the tight deadlines that have been adopted for review of this plan I wanted to take the opportunity to speak now. Furthermore, our experience in the past is the process for submitting written testimony can be unreliable and I wanted to make we don't miss the opportunity to have our voice heard and engage with the Planning Commission in a public forum.

After reviewing the plan and discussing the details with several residents, I do have several areas of concern which I wanted to review with you tonight:

1. The plan is primarily a transportation plan. In reviewing Chapter 5 – which contains the heart of the plan, 7 out of the 10 main points refer to transportation issues. The other three relate to the land use, the funding mechanisms and the economic strategies. At a cursory level, it is evident that the primary intention of this plan is to address the traffic issues currently facing the

Pike. But what do we want the Pike to actually be? The plan is somewhat schizophrenic in that it's trying to accomplish 2 contradictory things at one time. Do we want the Pike to serve as a transportation corridor with people speeding to their destination (to the new shops at White Flint perhaps?). Or are we trying to create a walkable boulevard where people stroll along, window-shopping and sipping lattes at sidewalk cafes (a la Paris). The plan seems to want us to have both – and I would argue that by trying to achieve both of these goals, we'll actually end up with neither. No one will want to stroll along a transportation "corridor" and the juxtaposition of through lanes next to street level shops and restaurants will hamper through traffic as drivers endeavor to see what they're missing along the sidewalks. I would also argue that having side lanes – like K St. has the potential to create confusion, frustration and traffic nightmares. Personally I avoid the local lanes on K Street as I'm worried I'll get trapped behind a delivery truck, taxi cab dropping off passengers or lost tourist trying to find their hotel.

2. In fact it is questionable if either goal is suitable or appropriate for the Pike. The idea that the Pike should be reconfigured to accommodate more thru-traffic maybe a desirable goal for the county, but at what cost to the residents of Rockville? I think of the residents of Arlington who fought against having 66 go through their neighborhoods, reluctantly agreed, but with strict limits, and are once again fighting expansion. All to shorten the commute time of residents further out who traded longer commutes for cheaper houses. I sympathize with the Arlington residents who made certain sacrifices to achieve a quality of life which is endangered by people who want to have their cake and eat it too. And I certainly do not want to put Rockville in a similar position. More importantly, none of this touches on how additional traffic will be permitted through intersections that are already failing. By repealing or gutting the AFPO which governs acceptable traffic limits? The approach in the plan seems to be – if you want to have more traffic flow through an intersection that is already failing, just raise the standards. And of course we know there will be no impact on schools as no children live in condos (sarcasm).
3. Conversely, we also need to think carefully about how residents use the Pike today. Do we really want to transform the Pike into more trendy stores and restaurants a la Town Center (which by the way still isn't complete)? Think about what people go to the Pike for today and the types of stores, goods and services that currently exist. By my informal count, the Pike is the place to go for big items. Whether it's furniture from Haverty's, a large screen TV from Best Buy, reams of paper from Staples, bicycles and canoes from REI, many of the stores are not places where you would want to walk home with your purchases. That's not to say you wouldn't also get a prescription from CVS, or mascara from Ulta, but generally speaking, people come to the Pike versus the mall or other locations to shop and buy the big household items we all need. I certainly won't find a new Jeep or VW at Macy's. It appears that the plan does not allow for these types of stores to exist, much less thrive or prosper. Do we really want to send all our residents to Germantown to shop? This point goes to the land use or form code portion of the plan. Initial review shows that buildings will come right up to the Pike with retail housed on the ground floors of multi-story buildings. Going back to the Arlington example, this seems like the Ballston corridor where there are streets lined with mixed use buildings. If you look

carefully at the stores along this corridor, there are no Bed Bath and Beyonds, no Container Stores, no car dealerships. Where do people in Arlington go to buy these large items? They get in their cars and drive to Tysons. So it may be a walkable community, but residents are forced to go somewhere else to buy a significant percentage of their household goods. Our residents will soon be driving to Gaithersburg and beyond to take care of the very things they can currently get right here in Rockville. We'll lose a large part of the value the Pike offers our residents. We need to think carefully about whether this is what will serve our residents – and residents outside the city that support all the businesses, local and otherwise currently on the pike.

4. Lastly, who will pay for all of this? Quoting from the plan, "... this implies that the city must be prepared to make initial capital investments to realize significant components of the plan's transportation system." What does that mean? I would like to much better understand where the funding for this plan is coming from and how much we as residents will be asked to pay for this.

It is unfortunate to be so negative, but I frankly cannot find much in this plan to recommend itself. If the issue is how the city will accommodate future growth of its population, then let's have a discussion about that. Change is definitely coming. With the approval of the County White Flint sector plan and its associated growth, as well as the proposed Science City, Rockville is going to face unprecedented pressures and challenges from all sides. The steps we take now will have huge repercussions down the road. All the more reason to be mindful of what makes the Pike work – its status as a powerful shopping destination in a convenient and accessible location. If we're not careful, Rockville will end up as an irrelevant way station with all the headaches for our residents and none of the benefits.

TESTIMONY TO THE PLANNING COMMISSION

By Jacques B. Gelin

Regarding the Rockville Pike Study, March 16, 2011

I am Jacques Gelin. I have resided at 105 South Van Buren Street in Rockville for 42 years. Eleven years ago I served as a member of this commission.

As a preliminary matter I submit a few general comments on the Rockville Pike Plan, and finally, a make a specific comment on that portion of the plan that recommends that the city create a new city official called "The Town Architect."

The Rockville Pike, as you know, is MD state route 355, which serves as a principal artery between Frederick and the District. It is hardly subject to any meaningful control by the city, but is controlled by the State and the County. Most of the land along 355's length is not subject to city control. The Plan's stated objective to create a "grand boulevard" like the Champs Elysee in Paris, the Paseo de Gracia in Barcelona, or even K Street in Downtown Washington is both fantasy or undesirable. Neither the Champs Elysee nor the Paseo is the main artery connecting two places that just happen to go through Paris and Barcelona, and the last time I rode on the Champs Elysee it was packed with honking, gridlocked cars. K Street is hardly the model we should look to if we wish to foster and maintain Rockville as a pleasant place in which to live.

I have heard the developers' repeated complaints about the Adequate Public Facilities Ordinance (APFO). Surely, it's inconvenient for them. They want to build office buildings, large stores, and high-density residences, regardless of their effects on the city's infrastructure, especially the already overcrowded roads and schools. The developers argue that the thousands of potential new residents who would live along the Pike would not have children, either because they are just starting out in life or are empty nesters, hence we need not worry about worsening our overcrowded schools. Surely they cannot be serious. Further, do we really want children-free zones?

Admittedly, Rockville lacks jurisdiction to control the large, planned developments at White Flint or Mid-County Plaza, but the kind of large scale development within the 2.2-mile portion of the Pike that goes through

Rockville will surely drive out the mom and pop businesses and the other enterprises that make Rockville appear like a small, friendly city. The massive development envisaged would also adversely affect Town Center that continues to struggle to survive. The proposed development along the Pike will inevitably degrade adjacent neighborhoods, like mine, the West End. The developers' repeated claim that added uncontrolled development will add to Rockville's tax base and increase its revenues have never worked out and won't in this instance. The sure losers, should this plan be adopted, will be Rockville's residents.

Finally, a word about the recommendation to create a new official called the "Town Architect." This would be a disaster. The role of that Czar completely contravenes the recommendations of the citizen Communication Task Force that sought to require the city to respond to citizen concerns. If Rockville is special it is because of citizen participation, not developer-driven initiatives. I submit that no serious candidate for public office in Rockville can support gutting the APFO, or the concept of a Town Architect, who would effectively replace Rockville's citizens and their neighborhood organization in making decisions that affect their lives and neighborhoods. The amount of money that Rockville has spent for this study -- over a half million dollars -- has been foolishly misspent. I urge you to reject this Study's recommendations as fantasies (like creating a "signature address on the Pike") along with its recommendation to create a planning czar called the Town Architect. The Rockville Pike Plan would fulfill the dreams of land use law firms like Linowes & Blocher and their development clients; for Rockville's residents the Plan would be a nightmare.

Testimony on the Rockville Pike Corridor
To the Rockville Planning Commission
March 16, 2011

Exhibit No 55

My name is Brigitta Mullican

I have lived in Twinbrook since 1965 and at 1947 Lewis Avenue on the railroad/Metro side since 1975. My house is directly behind what used to be Maryland Motors (MM). I can see the tall building at 1451 Rockville Pike which is directly across the street from the MM property. At night the lights from the Pike can be seen in my bedroom windows. New building along the railroad would block those lights if new buildings were built along that part of the Pike. I do not believe the tall buildings will cast a shadow as far as my house.

I am aware of the Rockville Pike concerns such as **traffic flow**, **poor bicycle trails** and **pedestrian safety**. At one time there weren't enough sidewalks along Rockville Pike to allow one to ride a bike from one end to the next. Walkers get wet when cars drive by during the rain.

Through many years of following the planning process, both as a former member of the Rockville City planning commission, and an active participant in civic organizations, I have become familiar with the planning process. All stakeholders need to be included in the land and zoning decision-making process.

First, bringing together members of the business community, advocacy organizations, and residents for public comment is a **must** and can only make the plan **better**. Your role as commissioners is vital because you hear and receive **testimonies** from all stakeholders and as a commission make recommendations to improve the plan.

Second, some parts of the Rockville Pike Plan are in agreement with what the county is doing but **more dialogue** is necessary to get a **compatible** Rockville Pike Corridor Plan approved. There appears to be different boulevard plans within the County. Is the City's Pike Plan compatible with the approved White Flint project and State's roadway priority? I believe that the City of Rockville needs to work **more closely** with the Montgomery **County** Planning Department. It makes no sense to have two different visions of the Rockville Pike and two different boulevard plans.

The Plan addresses complete streets and how they should be continuous through the city to enhance mobility for all users - pedestrians, bikes, transit and cars alike. Roadways are not just conduits for cars. Most of these improvements can happen and some will take a long time.

Third, I believe that the overall needs of Montgomery County should prevail over what are essentially powerful, but minority interests of some residents. Not only does a single plan satisfy the needs of the greater good, it provides a basis for state and Federal funding of a project. Rockville needs to think about the **regional** goal and not ignore the county and state's priorities. Traffic flows through from north and south of the Pike.

The 1989 Rockville Pike Corridor Neighborhood Plan Failed

I believe the Rockville Pike Corridor Neighborhood Plan that was adopted by the City as part of the Master Plan in 1989 failed to provide a more efficient transportation network. Transportation improvements will not be accomplished without developers financing and the funding support from the State of Maryland. Transportation funds will go to the areas with the highest priority and where high density occurs. Rockville seems to ignore the county's vision and hinder development which would help the county's growth and needs. The City is in no position to build affordable senior housing projects or improve all the properties along the Pike. Roadways, bridges and bike trails require state and Federal support and funding.

Preserving the Neighborhood

There is only about 2% of the county land available for development. The County is focusing on directing growth to create compact, livable places with a variety of **housing types** and **mixed uses**. To protect Rockville's single family neighborhood, it needs to do the same and be open to development in the areas where there will be density and good transportation. This keeps development from encroaching to neighborhoods.

Funding & Revenue – Rockville does receive revenues from development projects

Funding is foremost important if a project ever gets implemented. The Federal government will provide funds to the State if there are effective projects; no plan no funding. If no funding there is will be no development. Funds will be distributed to other jurisdictions. Some people I Rockville would want that. I disagree that the City does not benefit financially from developments. Improvements made by the developers can be converted to a dollar value.

The City of Rockville over the years has benefited from growth and development by increasing its staff in the Planning Department. The large developments such as King Farm and Falls Grove required more planners.

The public needs to be reminded of the money the developers are required to pay for their projects and that **no bank will fund their project if it were not profitable**. In Rockville the developers are required to pay taxes, art in public place fees, parking district taxes, traffic mitigation fees, filing and permitting fees. These are a few that I know. The developers in Rockville have made many improvements where Rockville property tax dollars were saved.

However, Town Center including the three garages is one development project where Rockville property taxes are used to pay for its developmental success. The Twinbrook Station development is not funded by Rockville tax dollars but by the developer.

What share of the local income that City of Rockville receives from the State is a whole other subject to debate. I am beginning to understand a little more why the State holds tight what is distributed to the municipality.

Competition for State Funding

In Maryland of the 129 transportation projects throughout the state only 42 were approved for funding. The White Flint Metro Station vicinity area was 4th to be granted priorities. This gives the public an idea of the competition for funds. Other counties will compete with Montgomery County. The Purple Line and the Corridor Cities Transit way warranted the **highest priority** because they impacts a large population and brings economic benefits.

Form Code

I strongly agree with slower moving traffic in inner streets; form code (controlling physical form not land use); better Pedestrian Crossing; adding street to help connectivity and height closest to Metro.

Boulevard Concept

There is a lot of information in this plan. What is missing is what **State planners** think about this plan. More focus needs to be made with the boulevard concept. In the Plan on page 5.39 under section 1. Secure State and Federal Funds to Create the Multi-Way Boulevard" it states, "*The city should work with the County and the State to ensure that creating the multi-way boulevard is included in the State's funding priorities.*" Not only is the funding important but the boulevard concept needs to be more compatible to the entire stretch of the Pike.

As I mentioned the White Flint Sector Plan has a boulevard planned. Since Rockville Pike is a State road, Rockville should be concerned how this the White Flint Boulevard will connect to the 2.2-mile Rockville Pike in Rockville.

Density

Property growth must be considered in all master plans. **Density** is a **key** to receiving the limited funds available by the Federal government and the State. Transportation service is also important. This Rockville Pike Plan will never happen without the State of Maryland Department of Transportation funding.

Demographics & Trends in the County Cannot Be Ignored

The National Capital Parks and Planning Commission prepared a report entitled, "Do You Know MoCo?" Here are a few facts that caught my attention and should be of interest in planning development in our area. This information has an affect on how land should be used and what the master plans need to consider.

1. Montgomery County (MoCo) will soon have majority minority population.
2. Residential permits dropped 29%.

3. Commercial permits dropped 19%.
4. Households earning the area median income cannot afford median priced single family home in any MoCo council district.
5. 93% of all trips are by car.
6. Which generates the most tax dollars? Buildings and people or on and off ramps for an interstate?
7. Over the past 15 years the average age of residents changed by
 - Dropping 12% to 38-years olds in Bethesda
 - Dropping 23% to 35-year olds in Silver Spring
 - Increasing 5% in the rest of the county
8. We need more:
 - Bethesda's
 - Silver Spring's
 - White Flint's
9. In 20 years the property tax revenue per acre went up
 - \$9.5 Million in Bethesda
 - \$4.7 Million in Silver Spring
 - \$417,00 in the rest of the county

Neighborhood

To protect our neighborhoods it is important to allow development where it is appropriate. State funding will go where density and transportation needs are the greatest.

The County is working on "Rewriting the Montgomery County Zoning Code." The City of Rockville should be part of that discussion since the Rockville Pike runs through the county as well as the city. Limited revenue growth, household affordability and no new land being available are facts the county zoning code revision is considering.

Limited revenue growth, Household affordability

Less than 2 percent of the county land area is zoned for commercial and mixed-use development. While this figure always surprises people, think about how far you have to travel to reach a service or retail store.

This low percentage of commercial / mixed-use zoning threatens the county's fiscal health. Some of our budget problems stem from a reliance on housing for tax revenue rather than taxable income from commercial uses. Having such a large percentage of land for **single-family houses limits revenue that could come in from new commercial development, keeping the tax burden squarely on homeowners.**

Household affordability

A person making the median income in MoCo has difficulty affording a median-priced home anywhere in the county. Many of the people we would want to live here are forced to commute in from elsewhere. For example, a county hospital estimates the average commute time for employees at 45 minutes, and most of those employees are not doctors, but serve other vital roles. (For each doctor, there are about three workers making less than \$50,000 per year.)

Our land use patterns keep us from maintaining a **healthy mix of people varying income levels**, which we need to fill a full range of professional, blue collar and service sector jobs.

Added to this is the cost of transportation. Here, **transportation** averages to be about **18 percent of household costs**. Neighborhoods separated from jobs and transit typically means two motorists per family commuting. When gas prices spiked a year ago, we saw a jump in foreclosures. In 2007, there were 1,166 foreclosures, in 2009 there were 2,838, a 59 percent jump. This is not a sustainable pattern.

There is no new land

Land is a finite resource. Our zoning code is based on principles rooted in the past, such as an abundance of developable land, room for roads and the money to pay for them. In reality, our landscape has changed. Our zoning and regulatory processes have to change along with it, or we run the risk of increased congestion, loss of jobs to surrounding counties, an unsustainable tax base, and a growing tab for deferred infrastructure investment.

Because of demographic changes and the need of sustainability, 'it's time to think differently in all areas.

1. Ecology
2. Health
3. Food
4. Economy
5. Energy
6. Culture
7. Resources
8. Infrastructure

In conclusion I agree with the **development principles, the core recommendations and the principal transportation elements of the multi-way boulevard**. Improvements need to be made so the plan fit into the county's long range planning. I believe there are experts in the planning and transportation fields that can best address how this plan will work. I hope you get to hear their comments.

The review process works well allowing the **public input**. The plan through the years will need to change as the economy changes. We can all agree that with the price of gas

going up our life styles will change and our future decisions will be affected on our own personal economic situation. I know the commission will make the right recommendations.

Brian Barkley-See transcript from 3/16/2011 oral testimony.

Nancy Regelin – Shulman Rogers – See transcript from 3/16/11 oral testimony



WASHINGTON AREA NEW AUTOMOBILE DEALERS ASSOCIATION

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Testimony of
Gerard N. Murphy
Washington Area New Automobile Dealers Association
(WANADA)
Before the
City of Rockville Planning Commission
Re: The Rockville Pike Plan and Form Code
March 16, 2011

Along with the Rockville new car dealers you have heard from this evening and at other times, I am here to wholeheartedly reiterate that these businesses be properly considered and included in the proposed Rockville Pike Plan and Form Code as they have been in the recently adopted Rockville City Zoning Ordinance and Comprehensive Rezoning Plan.

My name is Gerard Murphy and I am president of the Washington Area New Automobile Dealers Association (WANADA) with member dealers in and around the Capital Beltway, and up and down Rockville Pike. I have served as president of WANADA for the past

*Testimony of Gerard Murphy, WANADA
Re: The Rockville Pike Plan, 3/16/11*

Page 2

25 years. The new car dealers in our association have worked closely with the city on zoning matters for many years. This is because Rockville's dealers are an integral part of your community and have indeed been part of the Rockville Pike/Route 355 corridor forever.

To leave out automobile sales and service uses, as this draft plan does, is clearly an oversight requiring correction. Dealerships along Rockville Pike, of course, are here, up and operating, with zoning rights heretofore established by the city as I mentioned.

Beyond this, however, it is important to recall how motor vehicle sales and servicing fit into any properly conceived retail sector plan, including the upscale, urban one contemplated here tonight. Put simply, people shop for cars like they shop for other things at retail, albeit not as frequently. Correspondingly, auto servicing is required regularly and on a scheduled basis, so consumers look for their

*Testimony of Gerard Murphy, WANADA
Re: The Rockville Pike Plan, 3/16/11*

Page 3

dealership to be readily available and conveniently situated, as the Pike historically has delivered. The modern dealership, moreover, is a multimillion dollar, architecturally attractive facility that both complements and enhances any 21st century urban landscape.

Full auto dealership uses, accordingly, must be recognized and included in this Plan and Form Code so that existing and prospective dealerships will continue to serve their customers as part of the retail setting that is here envisioned. Our association, along with its Rockville City dealer members, looks forward to working closely with you, others in the business community, and the elected officials on obtaining the best outcome for the future of the Rockville Pike. Precluding future dealerships, or excessively restricting existing ones would not serve this objective.

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WASHINGTON AREA NEW AUTOMOBILE DEALERS ASSOCIATION

Terry Tretter – See transcript from 3/16/11 oral testimony

Oral comments on Rockville Pike Plan
Testimony given 3/16/11

Anne Goodman
1109 Clagett Dr.
Rockville, MD 20851
301 340-8930

While the City claims to be encouraging public comment on the Rockville Pike Plan, it is not making it easy for the public to do so. The document describing the plan is difficult to read and analyze. This reduces the ability of the public to make informed comments. Specifically

- Not everyone has access to a computer to read an electronic file
- Making 3 hard copies available in public locations is not enough to serve 65,000 Rockville residents.
- Reading a 300 page document on-line is problematic
- The document's length makes it impractical to print.
- Our word processing system couldn't search it, so I was unable to identify key words throughout the document.

In addition, the plan proposes entirely too much development, in my view. Such extensive development will have adverse effects on infrastructure, the environment, and the adjacent neighborhoods.

Potential infrastructure problems abound.

- Metro would be stressed.
- Schools would become even more overcrowded than they are
- Sufficient water, sewer, electrical capacity could be a problem.
- It isn't clear that the traffic changes will be sufficient for the increases the plan envisions.

The plan does not address the potential impacts on the environment or draining watersheds. An environmental assessment of environmental impact analysis should be conducted by each developer. We are killing our rivers and streams with overdevelopment.

The plan is does not address any potential effects on adjacent neighborhood dynamics and demographics. Such an assessment should be performed.

- Increase through adjacent neighborhoods will hasten deterioration of roads and sidewalks and increase air pollution. Safety might also be decreased.
- Commercial facilities in multistory buildings are likely to be high end and high rent. Current small stores in the area like the battery store, the shoe repair shop, and the locksmith would probably be pushed out of the area. Neighborhood residents would have to drive to distant locations for these services.

Anne Goodman
Oral comments
Page 2

- The high end nature of the components of this proposal is not compatible with the diversity currently existing in adjacent neighborhoods, like Twinbrook. Current residents might leave the neighborhood.

Please reconsider major aspects of the plan, taking into consideration the impacts of the extremely extensive development on the environmental impact, infrastructure in the region, and the surrounding neighborhoods.

Comments on Rockville Pike: Envision a Great Place

From Anne Goodman

Twinbrook Resident and Co-chair of the Rockville Community Wildlife Habitat Team

1109 Clagett Dr.

Rockville, MD 20851

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March 21, 2011

Although the City requested public comment, the plan document is not easily accessible or transparent for residents of the area to read, evaluate and make educated public comments. The document is available on-line or on CD, with 3 hard copies publically available

- Some people who don't have a computer wouldn't have access to the machine-readable versions.
- People who have eye problems, like our neighbor with macular degeneration, couldn't read a document of that length, even though she has a computer.
- A hard copy in each of 3 public places is pretty minimal for a community of 65,000 residents. Readers would have to spend hours at the library or City Hall to adequately review the document, and, with only one copy available at each location, they might have to wait for someone ahead of them to finish her/his evaluation.
- The document is very difficult to read on-line.
- It has a length of nearly 300 pages, so it isn't practical to print it.
- Our word processing system couldn't search it, so I was unable to identify key words throughout the document. While not everyone was likely to have that problem, we probably won't be the only ones.
- Many sections of the plan were written in technical jargon, which is very difficult to understand by the average lay reader.
- The document was not available in any language but English, to my knowledge, which discriminates against non-English speaking people.
- I understand that the documents are expensive to produce in hard copy, but if the City is going to spend half a million dollars on the study, it can spend a few more dollars on making the documentation readily available to citizens. I recommend in the future that multiple copies be placed in several libraries from which a copy may be checked out for a short period of time so that residents can at least scan the hard copies and identify those sections which they would like to review in more depth in machine-readable form.

Too much development is proposed. The proposal suggests adding up to 1725 housing units in only 3 model areas, in addition to large retail spaces and hotels. Those model areas do not represent the entire plan area, so it is likely that these residential and numbers of workers in the area will eventually be much higher.

An increase in the number of people living and working in the area will result in larger numbers of cars coming to the area. It is not clear to this reader that the additional traffic will be adequately handled by the roadways (existing or modified) or that adequate

parking will be provided. It is likely that there will be a great deal of spill-over of traffic into adjacent neighborhoods with increased numbers of cars cutting through Edmonston Dr. (and other streets) to and from Viers Mill and people taking Lewis Ave. to avoid the Pike.

The plan states the expectation of locating commercial ventures on ground floors of multistory buildings with mixed housing or commercial uses on upper floors. It also mentions that the area will be friendly to pedestrians and bikers, which could reduce traffic. This reader does not consider the point about traffic reduction to be valid.

- People coming to shop at the high end commercial establishments are not the sort who will use buses, bicycles, or Metro. They may walk from place to place after they get to their shopping destination, but they will probably drive to reach it. There will be more of them than there are now.
- Much of the plan area is not readily accessible by Metro.

Infrastructure problems abound.

- Some new residents of high end homes and visitors/workers coming to the area may use Metro. It is doubtful to this reader that, with Metro's current infrastructure problems, Metro can support the increased traffic.
- The results of the plan would probably overwhelm many infrastructure components, including school capacity, and sewer and electrical capacity, to name a few. Eliminating or changing the APFO, which the plan states would have to happen if it were to be implemented, would only serve to support developers. As far as the quality of school education, the plan would exacerbate the overcrowding situation. Schools are over capacity now, and this plan would worsen the situation.
- Water and sewer supplies would be stressed.
- Pepco can't handle the electrical load it has now, and the increase usage this proposal would produce even more problems.

The plan suggests widening the roadway by adding access lanes on both sides of the Pike that are open only to buses and bicycles. This will reduce the amount of land currently available for parking. The plan indicates that parking needs per trip may be reduced. However, the number of trips required because of the increase in commercial activity and number of residents will increase, so an argument that there will be a reduced need for parking because visitors will perform multiple functions from a single parking session doesn't make sense to this reader.

The parking issue will be particularly critical for the section that backs up to the railroad tracks immediately north of Edmonston Dr., where there is already little area available to park or build parking garages. How development and parking would be addressed in that area was not clear to this reader.

The plan is likely to change commercial and adjacent neighborhood dynamics and demographics completely.

- It is likely that traffic will increase through adjacent neighborhoods. This will negatively impact roads, sidewalks, and safety. It will increase pollution.
- Commercial facilities in multistory buildings are likely to be high end and high rent. Current small stores in the area would probably be pushed out of the area. For example, Twinbrook Neighborhood residents who used to be able to buy a battery at the Battery Store or need a locksmith or to get a pair of shoes repaired may have to go to a distant battery store, requiring increased driving.
- The high end nature of the stores and residences described in this proposal is not compatible with the diversity currently existing in adjacent neighborhoods, like Twinbrook. Current Twinbrook residents might even be driven out of the neighborhood.

More specific impacts on adjacent residential neighborhoods and streets are not clear. For example, if the section of Lewis Ave. near the Twinbrook Metro Station is to be made a more attractive walking area with better sidewalks and plants, how will that be accomplished? How will existing properties be affected by these improvements? A significant amount of crime has occurred recently in that vicinity. What safety considerations will apply to protect people walking in a potentially heavily traveled area?

What will the impact of the plan be on Lewis Ave. traffic? This reader anticipates that traffic on Lewis and other neighborhood streets will increase because drivers choose to avoid driving on Rockville Pike. Will neighborhood roads have to be altered/widened to because there is increased traffic in the neighborhoods? Homes on the railroad side of Lewis Ave. don't have much yard anyway, and widening the street would impact them adversely.

Cut-through traffic, already a problem in the area, will increase. These same considerations and others apply to other streets in neighborhoods near the Pike.

The plan incorporates green features like tree plantings along the Pike, which is a good thing. However, legislation should be put in place to require that any new trees or plants introduced under the auspices of this plan be native to the Chesapeake Bay area and watershed and obtained from local sources. In addition, pervious pavement should be used to the greatest extent possible.

The plan does not address the potential impacts on our watersheds. Is there likely to be an increase in the amount of impervious surfaces that will increase stormwater runoff? What effect will the increased population density have? What steps will be taken to control the amount and quality of stormwater runoff? It appears that this plan might have significant adverse effects on the environment. In this reader's view, developers should be required by law to conduct accurate environmental assessments or environmental impact analyses before beginning construction.

How compatible is this plan with the White Flint plan? This reader understands that they are different. If the two plans are not compatible, how will they be able to communicate?

In conclusion, this reader believes that, if the plan is implemented as proposed, there will be huge negative impacts on our area environment, the watersheds draining the area, the Chesapeake Bay, and residents currently living in the area near Rockville Pike. An effective plan should address these issues more completely.

Thank you for the opportunity to comment.